

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROUST USA, INC.,

Plaintiff,

-v-

MAISON BOINAUD SAS,

Defendant.

CIVIL ACTION NO. 23 Civ. 508 (JGLC) (SLC)

**THIRD AMENDED
CASE MANAGEMENT PLAN**

SARAH L. CAVE, United States Magistrate Judge.

Having reviewed Defendant's request for an order requiring Plaintiff "to produce all documents responsive to [Defendant]'s discovery requests" the ("Outstanding Discovery") by February 5, 2024 and extending the discovery schedule by 60 days (ECF No. 29 ("Defendant's Request"), and Plaintiff's letter in response stating Plaintiff's intent to produce the Outstanding Discovery by February 5, 2024 and joining in Defendant's Request for 60-day extension of the discovery schedule (ECF No. 31 ("Plaintiff's Request," with Defendant's Request, the "Parties' Requests")), the Court orders as follows:

1. The Parties' Requests are GRANTED.
2. Fact discovery shall be completed by **April 15, 2024**.
3. Plaintiff shall produce the Outstanding Discovery by **February 5, 2024**.¹

¹ To the extent Defendant seeks sanctions for Plaintiff's late production (see ECF No. 29 at 3), that aspect of Defendant's Request is DENIED WITHOUT PREJUDICE to renewal, if appropriate, on a proper showing and motion under Fed. R. Civ. P. 37(b)(2).

4. By **April 22, 2024**, the parties shall file a joint letter certifying the completion of fact discovery and advising whether they request a referral to the Court's Mediation Program or a settlement conference with the Court.
5. Expert discovery shall be completed by **July 8, 2024**, and shall proceed as follows:
 - a. Opening expert reports shall be served by **May 17, 2024**.
 - b. Rebuttal expert reports shall be served by **June 18, 2024**.
 - c. Expert depositions shall be completed by **July 8, 2024**.
6. By **July 15, 2024**, the parties shall file a joint letter certifying the completion of expert discovery.
7. No further extensions will be granted absent extraordinary circumstances.
8. The status conference scheduled for January 23, 2024 is ADJOURNED to **Monday, March 18, 2024 at 10:00 am** and will take place by telephone conference on the Court's conference line. The parties are directed to call: (866) 390-1828; access code: 380-9799, at the scheduled time.

The Clerk of Court is respectfully directed to close ECF No. 31.

Dated: New York, New York
January 22, 2024

SO ORDERED.



SARAH L. CAVE
United States Magistrate Judge